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Attorney for Material Witness: MIRTA LUNA PORTILLO  
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JAIME ANTONIO PRECIADO GARCIA  
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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
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12 UNITED STATES OF AMERICA, ) Case No.: 07 MJ 2966  
13 )  
Plaintiff, ) NOTICE OF MOTION AND MOTION FOR  
14 vs. ) VIDEOTAPE DEPOSITION OF MATERIAL  
15 ) WITNESSES MIRTA LUNA PORTILLO,  
SERGIO PRECIADO DIAZ; CONCEPCION ) HECTOR GUZMAN GARCIA, JAIME  
16 GARCIA OROZCO, ) ANTONIO PRECIADO GARCIA AND  
17 ) REQUEST FOR STATEMENT OF  
Defendants. ) REASONS IN SUPPORT OF CUSTODY  
18 )  
DATE: 1/22/08  
TIME: 9:30 a.m.  
DEPT: Magistrate Papas

19 PLEASE TAKE NOTICE that on **January 22, 2008 at 9:30 a.m.** or as soon thereafter  
20 as counsel may be heard, material witness MIRTA LUNA PORTILLO, HECTOR GUZMAN  
21 GARCIA and JAIME ANTONIO PRECIADO GARCIA (hereafter "Material Witnesses") by  
22 and through his counsel, Wayne C. Mayer will bring a motion for a court order to take the  
23 Material Witnesses' videotaped deposition.  
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**MOTION**

Material Witnesses, pursuant to Federal Rules of Criminal Procedure, Rule 15, and Title 18 U.S.C. sec. 3144, hereby moves this court for an order to take their deposition by videotape and release them at the conclusion of the deposition. If the Court denies this motion, then Material Witnesses further requests the United States Attorney's office provide the witnesses with a Statement of Reasons in Support of Custody in accordance with Federal Rules of Criminal Procedure, Rule 46(g).

This Motion is based upon this Notice, the Memorandum of Points and Authorities in Support thereof, the Declaration of Wayne C. Mayer, the files and records in the above entitled cause, and any and all other information brought to the Court's attention prior to or during the hearing on this motion.

Dated: January 3, 2008

Respectfully submitted,

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Wayne C. Mayer  
Attorney for Material Witnesses  
MIRTA LUNA PORTILLO,  
HECTOR GUZMAN GARCIA  
JAIME ANTONIO PRECIADO GARCIA